

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Darrell L. Goss, #305517,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 2:24-cv-3138-BHH
v.	)	
	)	
Warden Donnie E. Stonebreaker;	)	
	)	<b><u>ORDER</u></b>
	)	
Defendant.	)	
_____	)	

This matter is before the Court upon Plaintiff Darrell L. Goss's pro se ("Plaintiff") complaint filed pursuant to 42 U.S.C. § 1983. (ECF No. 1.) In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2), D.S.C., the matter was referred to a United States Magistrate Judge for preliminary review.

After conducting an initial review of Plaintiff's complaint, the Magistrate Judge issued a Report and Recommendation ("Report") on May 24, 2024, outlining the issues and recommending that the Court summarily dismiss this action without leave to amend, in the interest of judicial economy and efficiency, because it is duplicative of another action previously filed by Plaintiff. See No. 2:24-cv-1424-BHH. Attached to the Magistrate Judge's Report was a notice advising Plaintiff of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court

is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no objections to the Report have been filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge’s analysis. **Accordingly, the Court adopts and incorporates the Magistrate Judge’s Report (ECF No. 6), and the Court summarily dismisses this action without further leave to amend because it is duplicative to another action previously filed by Plaintiff.**

**IT IS SO ORDERED.**

/s/Bruce H. Hendricks  
United States District Judge

June 11, 2024  
Charleston, South Carolina